

AMENDED IN ASSEMBLY JUNE 3, 2015

AMENDED IN SENATE APRIL 6, 2015

SENATE BILL

No. 438

Introduced by Senator Hill

February 25, 2015

An act to ~~amend~~ *amend, repeal, and add* Sections 116.870 and 116.880 of the Code of Civil Procedure, and to ~~amend~~ *amend, repeal, and add* Sections 1656.2, 12517.1, 13369, 16000, 16000.1, 16075, 16251, 16377, *16378*, 16430, and 16434 of the Vehicle Code, relating to motor vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 438, as amended, Hill. Motor vehicles: reportable property damage.

Existing law requires the driver of every motor vehicle who is involved in an accident that results in damage to the property of any one person in excess of \$750, or in bodily injury, or in the death of a person, to report the accident to the Department of Motor Vehicles within 10 days after the accident, as specified. Under existing law that threshold amount of damages also serves as a condition, among others, for (1) the suspension of a judgment debtor's driving privileges, as an aid in the enforcement of small claims or civil money judgments arising out of those accidents; and (2) the suspension or revocation of specified endorsements or certificates.

This bill ~~would~~ *would, beginning January 1, 2017*, increase the minimum property damage that is required to be reported to \$1,000. This bill would make conforming changes to those related provisions described above.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 116.870 of the Code of Civil Procedure*
2 *is amended to read:*

3 116.870. (a) Sections 16250 to 16381, inclusive, of the Vehicle
4 Code, regarding the suspension of the judgment debtor's privilege
5 to operate a motor vehicle for failing to satisfy a judgment, apply
6 if the judgment (1) was for damage to property in excess of seven
7 hundred fifty dollars (\$750) or for bodily injury to, or death of, a
8 person in any amount, and (2) resulted from the operation of a
9 motor vehicle upon a California highway by the defendant, or by
10 any other person for whose conduct the defendant was liable, unless
11 the liability resulted from the defendant's signing the application
12 of a minor for a driver's license.

13 (b) *This section shall remain in effect only until January 1, 2017,*
14 *and as of that date is repealed, unless a later enacted statute, that*
15 *is enacted before January 1, 2017, deletes or extends that date.*

16 *SEC. 2. Section 116.870 is added to the Code of Civil*
17 *Procedure, to read:*

18 116.870. (a) Sections 16250 to 16381, inclusive, of the Vehicle
19 Code, regarding the suspension of the judgment debtor's privilege
20 to operate a motor vehicle for failing to satisfy a judgment, apply
21 if the judgment (1) was for damage to property in excess of one
22 thousand dollars (\$1,000) or for bodily injury to, or death of, a
23 person in any amount, and (2) resulted from the operation of a
24 motor vehicle upon a California highway by the defendant, or by
25 any other person for whose conduct the defendant was liable,
26 unless the liability resulted from the defendant's signing the
27 application of a minor for a driver's license.

28 (b) *This section shall become operative on January 1, 2017.*

29 *SEC. 3. Section 116.880 of the Code of Civil Procedure is*
30 *amended to read:*

31 116.880. (a) If the judgment (1) was for seven hundred fifty
32 dollars (\$750) or less, (2) resulted from a motor vehicle accident
33 occurring on a California highway caused by the defendant's
34 operation of a motor vehicle, and (3) has remained unsatisfied for
35 more than 90 days after the judgment became final, the judgment

1 creditor may file with the Department of Motor Vehicles a notice
2 requesting a suspension of the judgment debtor's privilege to
3 operate a motor vehicle.

4 (b) The notice shall state that the judgment has not been
5 satisfied, and shall be accompanied by (1) a fee set by the
6 department, (2) the judgment of the court determining that the
7 judgment resulted from a motor vehicle accident occurring on a
8 California highway caused by the judgment debtor's operation of
9 a motor vehicle, and (3) a declaration that the judgment has not
10 been satisfied. The fee shall be used by the department to finance
11 the costs of administering this section and ~~may~~ *shall* not exceed
12 the department's actual costs.

13 (c) Upon receipt of a notice, the department shall attempt to
14 notify the judgment debtor by telephone, if possible, otherwise by
15 certified mail, that the judgment debtor's privilege to operate a
16 motor vehicle will be suspended for a period of 90 days, beginning
17 20 days after receipt of notice by the department from the judgment
18 creditor, unless satisfactory proof, as provided in subdivision (e),
19 is provided to the department before that date.

20 (d) At the time the notice is filed, the department shall give the
21 judgment creditor a copy of the notice that ~~shall indicate~~ *indicates*
22 the filing fee paid by the judgment creditor, and ~~shall include~~
23 *includes* a space to be signed by the judgment creditor
24 acknowledging payment of the judgment by the judgment debtor.
25 The judgment creditor shall mail or deliver a signed copy of the
26 acknowledgment to the judgment debtor once the judgment is
27 satisfied.

28 (e) The department shall terminate the suspension, or the
29 suspension proceedings, upon the occurrence of one or more of
30 the following:

31 (1) Receipt of proof that the judgment has been satisfied, either
32 (A) by a copy of the notice required by this section signed by the
33 judgment creditor acknowledging satisfaction of the judgment, or
34 (B) by a declaration of the judgment debtor stating that the
35 judgment has been satisfied.

36 (2) Receipt of proof that the judgment debtor is complying with
37 a court-ordered payment schedule.

38 (3) Proof that the judgment debtor had insurance covering the
39 accident sufficient to satisfy the judgment.

(4) A deposit with the department of the amount of the unsatisfied judgment, if the judgment debtor presents proof, satisfactory to the department, of inability to locate the judgment creditor.

(5) At the end of 90 days.

(f) ~~When~~—If the suspension has been terminated under subdivision (e), the action is final and ~~may~~ shall not be reinstituted. ~~Whenever~~ If the suspension is terminated, Section 14904 of the Vehicle Code shall apply. Money deposited with the department under this section shall be handled in the same manner as money deposited under ~~subdivision (d) paragraph (4) of subdivision (a)~~ of Section 16377 of the Vehicle Code.

(g) A public agency is not liable for an injury caused by the suspension, termination of suspension, or the failure to suspend a person's privilege to operate a motor vehicle as authorized by this section.

(h) *This section shall remain in effect only until January 1, 2017, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2017, deletes or extends that date.*

SEC. 4. *Section 116.880 is added to the Code of Civil Procedure, to read:*

116.880. (a) *If the judgment (1) was for one thousand dollars (\$1,000) or less, (2) resulted from a motor vehicle accident occurring on a California highway caused by the defendant's operation of a motor vehicle, and (3) has remained unsatisfied for more than 90 days after the judgment became final, the judgment creditor may file with the Department of Motor Vehicles a notice requesting a suspension of the judgment debtor's privilege to operate a motor vehicle.*

(b) *The notice shall state that the judgment has not been satisfied, and shall be accompanied by (1) a fee set by the department, (2) the judgment of the court determining that the judgment resulted from a motor vehicle accident occurring on a California highway caused by the judgment debtor's operation of a motor vehicle, and (3) a declaration that the judgment has not been satisfied. The fee shall be used by the department to finance the costs of administering this section and shall not exceed the department's actual costs.*

(c) *Upon receipt of a notice, the department shall attempt to notify the judgment debtor by telephone, if possible, otherwise by*

1 *certified mail, that the judgment debtor's privilege to operate a*
2 *motor vehicle will be suspended for a period of 90 days, beginning*
3 *20 days after receipt of notice by the department from the judgment*
4 *creditor, unless satisfactory proof, as provided in subdivision (e),*
5 *is provided to the department before that date.*

6 *(d) At the time the notice is filed, the department shall give the*
7 *judgment creditor a copy of the notice that indicates the filing fee*
8 *paid by the judgment creditor, and includes a space to be signed*
9 *by the judgment creditor acknowledging payment of the judgment*
10 *by the judgment debtor. The judgment creditor shall mail or deliver*
11 *a signed copy of the acknowledgment to the judgment debtor once*
12 *the judgment is satisfied.*

13 *(e) The department shall terminate the suspension, or the*
14 *suspension proceedings, upon the occurrence of one or more of*
15 *the following:*

16 *(1) Receipt of proof that the judgment has been satisfied, either*
17 *(A) by a copy of the notice required by this section signed by the*
18 *judgment creditor acknowledging satisfaction of the judgment, or*
19 *(B) by a declaration of the judgment debtor stating that the*
20 *judgment has been satisfied.*

21 *(2) Receipt of proof that the judgment debtor is complying with*
22 *a court-ordered payment schedule.*

23 *(3) Proof that the judgment debtor had insurance covering the*
24 *accident sufficient to satisfy the judgment.*

25 *(4) A deposit with the department of the amount of the*
26 *unsatisfied judgment, if the judgment debtor presents proof,*
27 *satisfactory to the department, of inability to locate the judgment*
28 *creditor.*

29 *(5) At the end of 90 days.*

30 *(f) If the suspension has been terminated under subdivision (e),*
31 *the action is final and shall not be reinstituted. If the suspension*
32 *is terminated, Section 14904 of the Vehicle Code shall apply.*
33 *Money deposited with the department under this section shall be*
34 *handled in the same manner as money deposited under paragraph*
35 *(4) of subdivision (a) of Section 16377 of the Vehicle Code.*

36 *(g) A public agency is not liable for an injury caused by the*
37 *suspension, termination of suspension, or the failure to suspend*
38 *a person's privilege to operate a motor vehicle as authorized by*
39 *this section.*

40 *(h) This section shall become operative on January 1, 2017.*

SEC. 5. Section 1656.2 of the Vehicle Code is amended to read:
1656.2. (a) The department shall prepare and publish a printed summary describing the penalties for noncompliance with Sections 16000 and 16028, which shall be included with each motor vehicle registration, registration renewal, and transfer of registration and with each driver's license and license renewal. The printed summary may contain, but is not limited to, the following wording:

“IMPORTANT FACTS ABOUT ENFORCEMENT OF
CALIFORNIA'S COMPULSORY FINANCIAL
RESPONSIBILITY LAW

California law requires every driver to carry written evidence of valid automobile liability insurance, ~~a thirty-five thousand dollar (\$35,000) bond, a thirty-five thousand dollar (\$35,000) a~~ \$35,000 bond, a \$35,000 cash deposit, or a certificate of self-insurance that has been issued by the Department of Motor Vehicles.

You must provide evidence of financial responsibility when you renew the registration of a motor vehicle, and after you are cited by a peace officer for a traffic violation or are involved in any traffic accident. The law requires that you provide the officer with the name and address of your insurer and the policy identification number. Your insurer will provide written evidence of this number. Failure to provide evidence of your financial responsibility can result in fines of up to ~~five hundred dollars (\$500)~~ \$500 and loss of your driver's license. Falsification of evidence can result in fines of up to ~~seven hundred fifty dollars (\$750)~~ \$750 or 30 days in jail, or both, in addition to a one-year suspension of driving privileges.

Under existing California law, if you are involved in an accident that results in damages of over ~~seven hundred fifty dollars (\$750)~~ \$750 to the property of any person or in any injury or fatality, you must file a report of the accident with the Department of Motor Vehicles within 10 days of the accident. If you fail to file a report or fail to provide evidence of financial responsibility on the report, your driving privilege will be suspended for up to four years. Your suspension notice will notify you of the

1 department's action and of your right to a hearing. Your
2 suspension notice will also inform you that if you request a
3 hearing, it must be conducted within 30 days of your written
4 request, and that a decision is to be rendered within 15 days of
5 the conclusion of the hearing.”
6

7 *(b) This section shall remain in effect only until January 1,*
8 *2017, and as of that date is repealed, unless a later enacted statute,*
9 *that is enacted before January 1, 2017, deletes or extends that*
10 *date.*

11 SEC. 6. Section 1656.2 is added to the Vehicle Code, to read:

12 1656.2. (a) The department shall prepare and publish a printed
13 summary describing the penalties for noncompliance with Sections
14 16000 and 16028, which shall be included with each motor vehicle
15 registration, registration renewal, and transfer of registration and
16 with each driver's license and license renewal. The printed
17 summary may contain, but is not limited to, the following wording:
18

19 “IMPORTANT FACTS ABOUT ENFORCEMENT OF
20 CALIFORNIA’S COMPULSORY FINANCIAL RESPONSIBILITY
21 LAW
22

23 *California law requires every driver to carry written evidence*
24 *of valid automobile liability insurance, a \$35,000 bond, a*
25 *\$35,000 cash deposit, or a certificate of self-insurance that has*
26 *been issued by the Department of Motor Vehicles.*
27

28 *You must provide evidence of financial responsibility when you*
29 *renew the registration of a motor vehicle, and after you are cited*
30 *by a peace officer for a traffic violation or are involved in any*
31 *traffic accident. The law requires that you provide the officer*
32 *with the name and address of your insurer and the policy*
33 *identification number. Your insurer will provide written evidence*
34 *of this number. Failure to provide evidence of your financial*
35 *responsibility can result in fines of up to \$500 and loss of your*
36 *driver's license. Falsification of evidence can result in fines of*
37 *up to \$750 or 30 days in jail, or both, in addition to a one-year*
38 *suspension of driving privileges.*
39

1 *Under existing California law, if you are involved in an accident*
2 *that results in damages of over \$1,000 to the property of any*
3 *person or in any injury or fatality, you must file a report of the*
4 *accident with the Department of Motor Vehicles within 10 days*
5 *of the accident. If you fail to file a report or fail to provide*
6 *evidence of financial responsibility on the report, your driving*
7 *privilege will be suspended for up to four years. Your suspension*
8 *notice will notify you of the department's action and of your*
9 *right to a hearing. Your suspension notice will also inform you*
10 *that if you request a hearing, it must be conducted within 30*
11 *days of your written request, and that a decision is to be rendered*
12 *within 15 days of the conclusion of the hearing."*

13
14 *(b) This section shall become operative on January 1, 2017.*

15 *SEC. 7. Section 12517.1 of the Vehicle Code is amended to*
16 *read:*

17 12517.1. (a) A "schoolbus accident" means any of the
18 following:

19 (1) A motor vehicle accident resulting in property damage in
20 excess of seven hundred fifty dollars (\$750) or personal injury, on
21 public or private property, and involving a schoolbus, youth bus,
22 school pupil activity bus, or general public paratransit vehicle
23 transporting a pupil.

24 (2) A collision between a vehicle and a pupil or a schoolbus
25 driver while the pupil or driver is crossing the highway when the
26 schoolbus flashing red signal lamps are required to be operated
27 pursuant to Section 22112 or when the schoolbus is stopped for
28 the purpose of loading or unloading pupils.

29 (3) Injury of a pupil inside a vehicle described in paragraph (1)
30 as a result of acceleration, deceleration, or other movement of the
31 vehicle.

32 (b) The Department of the California Highway Patrol shall
33 investigate all schoolbus accidents, except that accidents involving
34 only property damage and occurring entirely on private property
35 shall be investigated only if they involve a violation of this code.

36 *(c) This section shall remain in effect only until January 1, 2017,*
37 *and as of that date is repealed, unless a later enacted statute, that*
38 *is enacted before January 1, 2017, deletes or extends that date.*

39 *SEC. 8. Section 12517.1 is added to the Vehicle Code, to read:*

1 12517.1. (a) A “schoolbus accident” means any of the
2 following:

3 (1) A motor vehicle accident resulting in property damage in
4 excess of one thousand dollars (\$1,000), or personal injury, on
5 public or private property, and involving a schoolbus, youth bus,
6 school pupil activity bus, or general public paratransit vehicle
7 transporting a pupil.

8 (2) A collision between a vehicle and a pupil or a schoolbus
9 driver while the pupil or driver is crossing the highway when the
10 schoolbus flashing red signal lamps are required to be operated
11 pursuant to Section 22112 or when the schoolbus is stopped for
12 the purpose of loading or unloading pupils.

13 (3) Injury of a pupil inside a vehicle described in paragraph
14 (1) as a result of acceleration, deceleration, or other movement
15 of the vehicle.

16 (b) The Department of the California Highway Patrol shall
17 investigate all schoolbus accidents, except that accidents involving
18 only property damage and occurring entirely on private property
19 shall be investigated only if they involve a violation of this code.

20 (c) This section shall become operative on January 1, 2017.

21 SEC. 9. Section 13369 of the Vehicle Code is amended to read:

22 13369. (a) This section applies to the following endorsements
23 and certificates:

24 (1) Passenger transportation vehicle.

25 (2) Hazardous materials.

26 (3) Schoolbus.

27 (4) School pupil activity bus.

28 (5) Youth bus.

29 (6) General public paratransit vehicle.

30 (7) Farm labor vehicle.

31 (8) Vehicle used for the transportation of developmentally
32 disabled persons.

33 (b) The department shall refuse to issue or renew, or shall
34 revoke, the certificate or endorsement of ~~any~~ a person who meets
35 the following conditions:

36 (1) Within three years, has committed any violation that results
37 in a conviction assigned a violation point count of two or more,
38 as defined in Sections 12810 and 12810.5. The department ~~may~~
39 shall not refuse to issue or renew, nor may it revoke, a person’s
40 hazardous materials or passenger transportation vehicle

1 endorsement if the violation leading to the conviction occurred in
2 the person's private vehicle and not in a commercial motor vehicle,
3 as defined in Section 15210.

4 (2) Within three years, has had his or her driving privilege
5 suspended, revoked, or on probation for any reason involving
6 unsafe operation of a motor vehicle. The department ~~may~~ *shall*
7 not refuse to issue or renew, nor may it revoke, a person's
8 passenger transportation vehicle endorsement if the person's
9 driving privilege has, within three years, been placed on probation
10 only for ~~any~~ *a* reason involving unsafe operation of a motor vehicle.

11 (3) Notwithstanding paragraphs (1) and (2), does not meet the
12 qualifications for issuance of a hazardous materials endorsement
13 set forth in Parts 383, 384, and 1572 of Title 49 of the Code of
14 Federal Regulations.

15 (c) The department may refuse to issue or renew, or may suspend
16 or revoke, the certificate or endorsement of ~~any~~ *a* person who
17 meets any of the following conditions:

18 (1) Within 12 months, has been involved as a driver in three
19 accidents in which the driver caused or contributed to the causes
20 of the accidents.

21 (2) Within 24 months, as a driver, caused or contributed to the
22 cause of an accident resulting in a fatality or serious injury or
23 serious property damage in excess of seven hundred fifty dollars
24 (\$750).

25 (3) Has violated any provision of this code, or any rule or
26 regulation pertaining to the safe operation of a vehicle for which
27 the certificate or endorsement was issued.

28 (4) Has violated any restriction of the certificate, endorsement,
29 or commercial driver's license.

30 (5) Has knowingly made a false statement or failed to disclose
31 a material fact on an application for a certificate or endorsement.

32 (6) Has been determined by the department to be a negligent or
33 incompetent operator.

34 (7) Has demonstrated irrational behavior to the extent that a
35 reasonable and prudent person would have reasonable cause to
36 believe that the applicant's ability to perform the duties of a driver
37 may be impaired.

38 (8) Excessively or habitually uses, or is addicted to, alcoholic
39 beverages, narcotics, or dangerous drugs.

1 (9) Does not meet the minimum medical standards established
2 or approved by the department.

3 (d) The department may cancel the certificate or endorsement
4 of any driver who meets any of the following conditions:

5 (1) Does not have a valid driver's license of the appropriate
6 class.

7 (2) Has requested cancellation of the certificate or endorsement.

8 (3) Has failed to meet any of the requirements for issuance or
9 retention of the certificate or endorsement, including, but not
10 limited to, payment of the proper fee, submission of an acceptable
11 medical report and fingerprint cards, and compliance with
12 prescribed training requirements.

13 (4) Has had his or her driving privilege suspended or revoked
14 for a cause involving other than the safe operation of a motor
15 vehicle.

16 (e) (1) The department shall refuse to issue or renew, or shall
17 suspend or revoke, the passenger vehicle endorsement of a person
18 who violates subdivision (b) of Section 5387 of the Public Utilities
19 Code.

20 (2) A person found to be in violation of subdivision (b) of
21 Section 5387 of the Public Utilities Code shall be ineligible for a
22 passenger vehicle endorsement that would permit him or her to
23 drive a bus of any kind, including, but not limited to, a bus,
24 schoolbus, youth bus, school pupil activity bus, trailer bus, or a
25 transit bus, with passengers, for a period of five years.

26 (f) (1) Reapplication following refusal or revocation under
27 subdivision (b) or (c) may be made after a period of not less than
28 one year from the effective date of denial or revocation, except in
29 cases where a longer period of suspension or revocation is required
30 by law.

31 (2) Reapplication following cancellation under subdivision (d)
32 may be made at any time without prejudice.

33 (g) *This section shall remain in effect only until January 1, 2017,*
34 *and as of that date is repealed, unless a later enacted statute, that*
35 *is enacted before January 1, 2017, deletes or extends that date.*

36 SEC. 10. Section 13369 is added to the Vehicle Code, to read:

37 13369. (a) *This section applies to the following endorsements*
38 *and certificates:*

39 (1) *Passenger transportation vehicle.*

40 (2) *Hazardous materials.*

1 (3) *Schoolbus.*

2 (4) *School pupil activity bus.*

3 (5) *Youth bus.*

4 (6) *General public paratransit vehicle.*

5 (7) *Farm labor vehicle.*

6 (8) *Vehicle used for the transportation of developmentally*
7 *disabled persons.*

8 (b) *The department shall refuse to issue or renew, or shall*
9 *revoke, the certificate or endorsement of a person who meets the*
10 *following conditions:*

11 (1) *Within three years, has committed any violation that results*
12 *in a conviction assigned a violation point count of two or more,*
13 *as defined in Sections 12810 and 12810.5. The department shall*
14 *not refuse to issue or renew, nor may it revoke, a person's*
15 *hazardous materials or passenger transportation vehicle*
16 *endorsement if the violation leading to the conviction occurred in*
17 *the person's private vehicle and not in a commercial motor vehicle,*
18 *as defined in Section 15210.*

19 (2) *Within three years, has had his or her driving privilege*
20 *suspended, revoked, or on probation for any reason involving*
21 *unsafe operation of a motor vehicle. The department shall not*
22 *refuse to issue or renew, nor may it revoke, a person's passenger*
23 *transportation vehicle endorsement if the person's driving privilege*
24 *has, within three years, been placed on probation only for a reason*
25 *involving unsafe operation of a motor vehicle.*

26 (3) *Notwithstanding paragraphs (1) and (2), does not meet the*
27 *qualifications for issuance of a hazardous materials endorsement*
28 *set forth in Parts 383, 384, and 1572 of Title 49 of the Code of*
29 *Federal Regulations.*

30 (c) *The department may refuse to issue or renew, or may suspend*
31 *or revoke, the certificate or endorsement of a person who meets*
32 *any of the following conditions:*

33 (1) *Within 12 months, has been involved as a driver in three*
34 *accidents in which the driver caused or contributed to the causes*
35 *of the accidents.*

36 (2) *Within 24 months, as a driver, caused or contributed to the*
37 *cause of an accident resulting in a fatality or serious injury or*
38 *serious property damage in excess of one thousand dollars*
39 *(\$1,000).*

1 (3) *Has violated any provision of this code, or any rule or*
2 *regulation pertaining to the safe operation of a vehicle for which*
3 *the certificate or endorsement was issued.*

4 (4) *Has violated any restriction of the certificate, endorsement,*
5 *or commercial driver's license.*

6 (5) *Has knowingly made a false statement or failed to disclose*
7 *a material fact on an application for a certificate or endorsement.*

8 (6) *Has been determined by the department to be a negligent*
9 *or incompetent operator.*

10 (7) *Has demonstrated irrational behavior to the extent that a*
11 *reasonable and prudent person would have reasonable cause to*
12 *believe that the applicant's ability to perform the duties of a driver*
13 *may be impaired.*

14 (8) *Excessively or habitually uses, or is addicted to, alcoholic*
15 *beverages, narcotics, or dangerous drugs.*

16 (9) *Does not meet the minimum medical standards established*
17 *or approved by the department.*

18 (d) *The department may cancel the certificate or endorsement*
19 *of any driver who meets any of the following conditions:*

20 (1) *Does not have a valid driver's license of the appropriate*
21 *class.*

22 (2) *Has requested cancellation of the certificate or endorsement.*

23 (3) *Has failed to meet any of the requirements for issuance or*
24 *retention of the certificate or endorsement, including, but not*
25 *limited to, payment of the proper fee, submission of an acceptable*
26 *medical report and fingerprint cards, and compliance with*
27 *prescribed training requirements.*

28 (4) *Has had his or her driving privilege suspended or revoked*
29 *for a cause involving other than the safe operation of a motor*
30 *vehicle.*

31 (e) (1) *The department shall refuse to issue or renew, or shall*
32 *suspend or revoke, the passenger vehicle endorsement of a person*
33 *who violates subdivision (b) of Section 5387 of the Public Utilities*
34 *Code.*

35 (2) *A person found to be in violation of subdivision (b) of Section*
36 *5387 of the Public Utilities Code shall be ineligible for a passenger*
37 *vehicle endorsement that would permit him or her to drive a bus*
38 *of any kind, including, but not limited to, a bus, schoolbus, youth*
39 *bus, school pupil activity bus, trailer bus, or a transit bus, with*
40 *passengers, for a period of five years.*

1 (f) (1) *Reapplication following refusal or revocation under*
2 *subdivision (b) or (c) may be made after a period of not less than*
3 *one year from the effective date of denial or revocation, except in*
4 *cases where a longer period of suspension or revocation is required*
5 *by law.*

6 (2) *Reapplication following cancellation under subdivision (d)*
7 *may be made at any time without prejudice.*

8 (g) *This section shall become operative on January 1, 2017.*

9 SEC. 11. *Section 16000 of the Vehicle Code is amended to*
10 *read:*

11 16000. (a) The driver of a motor vehicle who is in any manner
12 involved in an accident originating from the operation of the motor
13 vehicle on a street or highway, or is involved in a reportable
14 off-highway accident, as defined in Section 16000.1, that has
15 resulted in damage to the property of any one person in excess of
16 seven hundred fifty dollars (\$750), or in bodily injury, or in the
17 death of any person shall report the accident, within 10 days after
18 the accident, either personally or through an insurance agent,
19 broker, or legal representative, on a form approved by the
20 department, to the office of the department at Sacramento, subject
21 to this chapter. The driver shall identify on the form, by name and
22 current residence address, if available, any person involved in the
23 accident complaining of bodily injury.

24 (b) A report is not required under subdivision (a) if the motor
25 vehicle involved in the accident was owned or leased by, or under
26 the direction of, the United States, this state, another state, or a
27 local agency.

28 (c) If none of the parties involved in an accident has reported
29 the accident to the department under this section within one year
30 following the date of the accident, the department is not required
31 to file a report on the accident and the driver's license suspension
32 requirements of Section 16004 or 16070 do not apply.

33 (d) *This section shall remain in effect only until January 1, 2017,*
34 *and as of that date is repealed, unless a later enacted statute, that*
35 *is enacted before January 1, 2017, deletes or extends that date.*

36 SEC. 12. *Section 16000 is added to the Vehicle Code, to read:*

37 16000. (a) *The driver of a motor vehicle who is in any manner*
38 *involved in an accident originating from the operation of the motor*
39 *vehicle on a street or highway, or is involved in a reportable*
40 *off-highway accident, as defined in Section 16000.1, that has*

1 *resulted in damage to the property of any one person in excess of*
2 *one thousand dollars (\$1,000), or in bodily injury, or in the death*
3 *of any person shall report the accident, within 10 days after the*
4 *accident, either personally or through an insurance agent, broker,*
5 *or legal representative, on a form approved by the department, to*
6 *the office of the department at Sacramento, subject to this chapter.*
7 *The driver shall identify on the form, by name and current*
8 *residence address, if available, any person involved in the accident*
9 *complaining of bodily injury.*

10 *(b) A report is not required under subdivision (a) if the motor*
11 *vehicle involved in the accident was owned or leased by, or under*
12 *the direction of, the United States, this state, another state, or a*
13 *local agency.*

14 *(c) If none of the parties involved in an accident has reported*
15 *the accident to the department under this section within one year*
16 *following the date of the accident, the department is not required*
17 *to file a report on the accident and the driver's license suspension*
18 *requirements of Section 16004 or 16070 do not apply.*

19 *(d) This section shall become operative on January 1, 2017.*

20 *SEC. 13. Section 16000.1 of the Vehicle Code is amended to*
21 *read:*

22 16000.1. (a) For purposes of this division, a "reportable
23 off-highway accident" means an accident~~which~~ *that* includes all
24 of the following:

25 (1) Occurs off the street or highway.

26 (2) Involves a vehicle that is subject to registration under this
27 code.

28 (3) Results in damages to the property of any one person in
29 excess of seven hundred fifty dollars (\$750) or in bodily injury or
30 in the death of any person.

31 (b) A "reportable off-highway accident" does not include any
32 accident~~which~~ *that* occurs off-highway in which damage occurs
33 only to the property of the driver or owner of the motor vehicle
34 and no bodily injury or death of a person occurs.

35 (c) *This section shall remain in effect only until January 1, 2017,*
36 *and as of that date is repealed, unless a later enacted statute, that*
37 *is enacted before January 1, 2017, deletes or extends that date.*

38 *SEC. 14. Section 16000.1 is added to the Vehicle Code, to*
39 *read:*

1 16000.1. (a) For purposes of this division, a “reportable
2 off-highway accident” means an accident that includes all of the
3 following:

4 (1) Occurs off the street or highway.

5 (2) Involves a vehicle that is subject to registration under this
6 code.

7 (3) Results in damages to the property of any one person in
8 excess of one thousand dollars (\$1,000) or in bodily injury or in
9 the death of any person.

10 (b) A “reportable off-highway accident” does not include any
11 accident that occurs off-highway in which damage occurs only to
12 the property of the driver or owner of the motor vehicle and no
13 bodily injury or death of a person occurs.

14 (c) This section shall become operative on January 1, 2017.

15 SEC. 15. Section 16075 of the Vehicle Code is amended to
16 read:

17 16075. (a) The suspension provisions of this article shall not
18 apply to a driver or owner until 30 days after the department sends
19 to the driver or owner notice of its intent to suspend his or her
20 driving privilege, pursuant to subdivision (b) of Section 16070,
21 and advises the driver or owner of his or her right to a hearing as
22 ~~hereinafter provided~~; provided in this section.

23 (b) If the driver or owner receiving the notice of intent to
24 suspend wishes to have a hearing, the request for a hearing shall
25 be made in writing to the department within 10 days of the receipt
26 of the notice. Failure to respond to a notice of intent within 10
27 days of receipt of the notice is a waiver of the person’s right to a
28 hearing.

29 (c) If the driver or owner makes a timely request for a hearing,
30 the department shall hold the hearing before the effective date of
31 the suspension to determine the applicability of this chapter to the
32 driver or owner, including a determination of whether:

33 (1) The accident has resulted in property damage in excess of
34 seven hundred fifty dollars (\$750), or bodily injury, or death.

35 (2) The driver or owner has established *evidence of* financial
36 responsibility, as provided in Article 3 (commencing with Section
37 16050), *that* was in effect at the time of the accident.

38 (d) A request for a hearing does not stay the suspension of a
39 person’s driving privilege. However, if the department does not
40 conduct a hearing and make a determination pursuant thereto within

1 the time limit provided in subdivision (b) of Section 16070, the
2 department shall stay the effective date of the order of suspension
3 pending a determination.

4 (e) The hearing provided for by this section shall be held in the
5 county of residence of the person requesting the hearing. The
6 hearing shall be conducted pursuant to Article 3 (commencing
7 with Section 14100) of Chapter 3 of Division 6.

8 (f) The department shall render its decision within 15 days after
9 conclusion of the hearing.

10 (g) *This section shall remain in effect only until January 1, 2017,*
11 *and as of that date is repealed, unless a later enacted statute, that*
12 *is enacted before January 1, 2017, deletes or extends that date.*

13 SEC. 16. Section 16075 is added to the Vehicle Code, to read:

14 16075. (a) *The suspension provisions of this article shall not*
15 *apply to a driver or owner until 30 days after the department sends*
16 *to the driver or owner notice of its intent to suspend his or her*
17 *driving privilege, pursuant to subdivision (b) of Section 16070,*
18 *and advises the driver or owner of his or her right to a hearing as*
19 *provided in this section.*

20 (b) *If the driver or owner receiving the notice of intent to*
21 *suspend wishes to have a hearing, the request for a hearing shall*
22 *be made in writing to the department within 10 days of the receipt*
23 *of the notice. Failure to respond to a notice of intent within 10*
24 *days of receipt of the notice is a waiver of the person's right to a*
25 *hearing.*

26 (c) *If the driver or owner makes a timely request for a hearing,*
27 *the department shall hold the hearing before the effective date of*
28 *the suspension to determine the applicability of this chapter to the*
29 *driver or owner, including a determination of whether:*

30 (1) *The accident has resulted in property damage in excess of*
31 *one thousand dollars (\$1,000), or bodily injury, or death.*

32 (2) *The driver or owner has established evidence of financial*
33 *responsibility, as provided in Article 3 (commencing with Section*
34 *16050), that was in effect at the time of the accident.*

35 (d) *A request for a hearing does not stay the suspension of a*
36 *person's driving privilege. However, if the department does not*
37 *conduct a hearing and make a determination pursuant thereto*
38 *within the time limit provided in subdivision (b) of Section 16070,*
39 *the department shall stay the effective date of the order of*
40 *suspension pending a determination.*

1 (e) *The hearing provided for by this section shall be held in the*
2 *county of residence of the person requesting the hearing. The*
3 *hearing shall be conducted pursuant to Article 3 (commencing*
4 *with Section 14100) of Chapter 3 of Division 6.*

5 (f) *The department shall render its decision within 15 days after*
6 *conclusion of the hearing.*

7 (g) *This section shall become operative on January 1, 2017.*

8 SEC. 17. *Section 16251 of the Vehicle Code is amended to*
9 *read:*

10 16251. (a) *As used in this chapter and Chapter 3 (commencing*
11 *with Section 16430), “cause of action” means any cause of action*
12 *for damage to property in excess of seven hundred fifty dollars*
13 *(\$750) or for damage in any amount on account of bodily injury*
14 *to or death of any person resulting from the operation by the*
15 *defendant or any other person of any motor vehicle upon a highway*
16 *in this state, except a cause of action based upon statutory liability*
17 *by reason of signing the application of a minor for a driver’s*
18 *license.*

19 (b) *This section shall remain in effect only until January 1, 2017,*
20 *and as of that date is repealed, unless a later enacted statute, that*
21 *is enacted before January 1, 2017, deletes or extends that date.*

22 SEC. 18. *Section 16251 is added to the Vehicle Code, to read:*

23 16251. (a) *As used in this chapter and Chapter 3 (commencing*
24 *with Section 16430), “cause of action” means any cause of action*
25 *for damage to property in excess of one thousand dollars (\$1,000)*
26 *or for damage in any amount on account of bodily injury to or*
27 *death of any person resulting from the operation by the defendant*
28 *or any other person of any motor vehicle upon a highway in this*
29 *state, except a cause of action based upon statutory liability by*
30 *reason of signing the application of a minor for a driver’s license.*

31 (b) *This section shall become operative on January 1, 2017.*

32 SEC. 19. *Section 16377 of the Vehicle Code is amended to*
33 *read:*

34 ~~16377. Every judgment shall for~~ (a) *For the purposes of this*
35 ~~chapter be deemed satisfied:~~ *chapter, every judgment shall be*
36 *deemed satisfied if any of the following apply:*

37 ~~(a) When fifteen~~

38 (1) *Fifteen thousand dollars (\$15,000) has been credited, upon*
39 *any judgment in excess of that amount, or upon all judgments,*
40 *collectively, which together total in excess of that amount, for*

1 personal injury to or death of one person as a result of any one
2 accident.

3 ~~(b) When, subject~~

4 (2) *Subject* to the limit of fifteen thousand dollars (\$15,000) as
5 to one person, the sum of thirty thousand dollars (\$30,000) has
6 been credited, upon any judgment in excess of that amount, or
7 upon all judgments, collectively, which together total in excess of
8 that amount, for personal injury to or death of more than one person
9 as a result of any one accident.

10 ~~(e) When five~~

11 (3) *Five* thousand dollars (\$5,000) has been credited, upon any
12 judgment in excess of that amount, or upon all judgments,
13 collectively, each of which is in excess of seven hundred fifty
14 dollars (\$750), and which together total in excess of five thousand
15 dollars (\$5,000), for damage to property of others as a result of
16 any one accident.

17 ~~(d) When the~~

18 (4) *The* judgment debtor or a person designated by him or her
19 has deposited with the department a sum equal to the amount of
20 the unsatisfied judgment for which the suspension action was taken
21 and presents proof, satisfactory to the department, of inability to
22 locate the judgment creditor.

23 (b) *This section shall remain in effect only until January 1, 2017,*
24 *and as of that date is repealed, unless a later enacted statute, that*
25 *is enacted before January 1, 2017, deletes or extends that date.*

26 SEC. 20. *Section 16377 is added to the Vehicle Code, to read:*
27 *16377. (a) For the purposes of this chapter, every judgment*
28 *shall be deemed satisfied if any of the following apply:*

29 (1) *Fifteen thousand dollars (\$15,000) has been credited, upon*
30 *any judgment in excess of that amount, or upon all judgments,*
31 *collectively, which together total in excess of that amount, for*
32 *personal injury to or death of one person as a result of any one*
33 *accident.*

34 (2) *Subject to the limit of fifteen thousand dollars (\$15,000) as*
35 *to one person, the sum of thirty thousand dollars (\$30,000) has*
36 *been credited, upon any judgment in excess of that amount, or*
37 *upon all judgments, collectively, which together total in excess of*
38 *that amount, for personal injury to or death of more than one*
39 *person as a result of any one accident.*

1 (3) Five thousand dollars (\$5,000) has been credited, upon any
2 judgment in excess of that amount, or upon all judgments,
3 collectively, each of which is in excess of one thousand dollars
4 (\$1,000), and which together total in excess of five thousand dollars
5 (\$5,000), for damage to property of others as a result of any one
6 accident.

7 (4) The judgment debtor or a person designated by him or her
8 has deposited with the department a sum equal to the amount of
9 the unsatisfied judgment for which the suspension action was taken
10 and presents proof, satisfactory to the department, of inability to
11 locate the judgment creditor.

12 (b) This section shall become operative on January 1, 2017.

13 SEC. 21. Section 16378 of the Vehicle Code is amended to
14 read:

15 16378. (a) Money deposited pursuant to subdivision (d) of
16 Section 16377 shall be:

17 ~~(a)~~

18 (1) Deposited by the department in the special deposit fund with
19 the State Treasurer.

20 ~~(b)~~

21 (2) Payable to the judgment creditor upon presentation of a valid
22 claim establishing that he *or she* is the judgment creditor for which
23 the deposit was made and that the judgment remains unsatisfied.

24 ~~(c)~~

25 (3) Refunded to the person making the deposit or to a person
26 designated by ~~him~~ *himself or herself* if the deposit remains
27 unclaimed by the judgment creditor for a period of two years
28 following the date of the deposit.

29 ~~(d)~~

30 (4) The ~~State~~ Controller shall draw his *or her* warrant on the
31 State Treasurer for any payment ordered pursuant to this section
32 as ordered by the department.

33 (b) This section shall remain in effect only until January 1, 2017,
34 and as of that date is repealed, unless a later enacted statute, that
35 is enacted before January 1, 2017, deletes or extends that date.

36 SEC. 22. Section 16378 is added to the Vehicle Code, to read:

37 16378. (a) Money deposited pursuant to paragraph (4) of
38 subdivision (a) of Section 16377 shall be:

39 (1) Deposited by the department in the special deposit fund with
40 the Treasurer.

1 (2) Payable to the judgment creditor upon presentation of a
2 valid claim establishing that he or she is the judgment creditor for
3 which the deposit was made and that the judgment remains
4 unsatisfied.

5 (3) Refunded to the person making the deposit or to a person
6 designated by himself or herself if the deposit remains unclaimed
7 by the judgment creditor for a period of two years following the
8 date of the deposit.

9 (4) The Controller shall draw his or her warrant on the
10 Treasurer for any payment ordered pursuant to this section as
11 ordered by the department.

12 (b) This section shall become operative on January 1, 2017.

13 SEC. 23. Section 16430 of the Vehicle Code is amended to
14 read:

15 16430. ~~Proof of financial responsibility when required by this~~
16 ~~code~~ (a) “proof of financial responsibility” when required by this
17 code, means proof of financial responsibility resulting from the
18 ownership or operation of a motor vehicle and arising by reason
19 of personal injury to, or death of, any one person, of at least fifteen
20 thousand dollars (\$15,000), and, subject to the limit of fifteen
21 thousand dollars (\$15,000) for each person injured or killed, of at
22 least thirty thousand dollars (\$30,000) for the injury to, or the death
23 of, two or more persons in any one accident, and for damages to
24 property ~~(in excess of seven hundred fifty dollars (\$750))~~,
25 (\$750), of at least five thousand dollars (\$5,000) resulting from
26 any one accident. Proof of financial responsibility may be given
27 in any manner authorized in this chapter.

28 (b) This section shall remain in effect only until January 1, 2017,
29 and as of that date is repealed, unless a later enacted statute, that
30 is enacted before January 1, 2017, deletes or extends that date.

31 SEC. 24. Section 16430 is added to the Vehicle Code, to read:

32 16430. (a) “Proof of financial responsibility,” when required
33 by this code, means proof of financial responsibility resulting from
34 the ownership or operation of a motor vehicle and arising by
35 reason of personal injury to, or death of, any one person, of at
36 least fifteen thousand dollars (\$15,000), and, subject to the limit
37 of fifteen thousand dollars (\$15,000) for each person injured or
38 killed, of at least thirty thousand dollars (\$30,000) for the injury
39 to, or the death of, two or more persons in any one accident, and
40 for damages to property in excess of one thousand dollars (\$1,000),

1 of at least five thousand dollars (\$5,000) resulting from any one
2 accident. Proof of financial responsibility may be given in any
3 manner authorized in this chapter.

4 (b) This section shall become operative on January 1, 2017.

5 SEC. 25. Section 16434 of the Vehicle Code is amended to
6 read:

7 16434. (a) Proof of financial responsibility may be given by
8 a bond. The bond shall be conditioned for the payment of the
9 amount specified in Section 16430, and shall provide for the entry
10 of judgment on motion of the state in favor of any holder of any
11 final judgment on account of damages to property over seven
12 hundred fifty dollars (\$750) in amount, or injury to any person
13 caused by the operation of the person's motor vehicle.

14 (b) This section shall remain in effect only until January 1, 2017,
15 and as of that date is repealed, unless a later enacted statute, that
16 is enacted before January 1, 2017, deletes or extends that date.

17 SEC. 26. Section 16434 is added to the Vehicle Code, to read:

18 16434. (a) Proof of financial responsibility may be given by
19 a bond. The bond shall be conditioned for the payment of the
20 amount specified in Section 16430, and shall provide for the entry
21 of judgment on motion of the state in favor of any holder of any
22 final judgment on account of damages to property over one
23 thousand dollars (\$1,000) in amount, or injury to any person
24 caused by the operation of the person's motor vehicle.

25 (b) This section shall become operative on January 1, 2017.

26 SECTION 1. ~~Section 116.870 of the Code of Civil Procedure~~
27 ~~is amended to read:~~

28 ~~116.870. Sections 16250 to 16381, inclusive, of the Vehicle~~
29 ~~Code, regarding the suspension of the judgment debtor's privilege~~
30 ~~to operate a motor vehicle for failing to satisfy a judgment, apply~~
31 ~~if the judgment (1) was for damage to property in excess of one~~
32 ~~thousand dollars (\$1,000), or for bodily injury to, or death of, a~~
33 ~~person in any amount, and (2) resulted from the operation of a~~
34 ~~motor vehicle upon a California highway by the defendant, or by~~
35 ~~any other person for whose conduct the defendant was liable, unless~~
36 ~~the liability resulted from the defendant's signing the application~~
37 ~~of a minor for a driver's license.~~

38 SEC. 2. ~~Section 116.880 of the Code of Civil Procedure is~~
39 ~~amended to read:~~

1 ~~116.880.—(a) If the judgment (1) was for one thousand dollars~~
2 ~~(\$1,000) or less, (2) resulted from a motor vehicle accident~~
3 ~~occurring on a California highway caused by the defendant's~~
4 ~~operation of a motor vehicle, and (3) has remained unsatisfied for~~
5 ~~more than 90 days after the judgment became final, the judgment~~
6 ~~creditor may file with the Department of Motor Vehicles a notice~~
7 ~~requesting a suspension of the judgment debtor's privilege to~~
8 ~~operate a motor vehicle.~~

9 ~~(b) The notice shall state that the judgment has not been~~
10 ~~satisfied, and shall be accompanied by (1) a fee set by the~~
11 ~~department, (2) the judgment of the court determining that the~~
12 ~~judgment resulted from a motor vehicle accident occurring on a~~
13 ~~California highway caused by the judgment debtor's operation of~~
14 ~~a motor vehicle, and (3) a declaration that the judgment has not~~
15 ~~been satisfied. The fee shall be used by the department to finance~~
16 ~~the costs of administering this section and shall not exceed the~~
17 ~~department's actual costs.~~

18 ~~(c) Upon receipt of a notice, the department shall attempt to~~
19 ~~notify the judgment debtor by telephone, if possible, otherwise by~~
20 ~~certified mail, that the judgment debtor's privilege to operate a~~
21 ~~motor vehicle will be suspended for a period of 90 days, beginning~~
22 ~~20 days after receipt of notice by the department from the judgment~~
23 ~~creditor, unless satisfactory proof, as provided in subdivision (c),~~
24 ~~is provided to the department before that date.~~

25 ~~(d) At the time the notice is filed, the department shall give the~~
26 ~~judgment creditor a copy of the notice that indicates the filing fee~~
27 ~~paid by the judgment creditor, and includes a space to be signed~~
28 ~~by the judgment creditor acknowledging payment of the judgment~~
29 ~~by the judgment debtor. The judgment creditor shall mail or deliver~~
30 ~~a signed copy of the acknowledgment to the judgment debtor once~~
31 ~~the judgment is satisfied.~~

32 ~~(e) The department shall terminate the suspension, or the~~
33 ~~suspension proceedings, upon the occurrence of one or more of~~
34 ~~the following:~~

35 ~~(1) Receipt of proof that the judgment has been satisfied, either~~
36 ~~(A) by a copy of the notice required by this section signed by the~~
37 ~~judgment creditor acknowledging satisfaction of the judgment, or~~
38 ~~(B) by a declaration of the judgment debtor stating that the~~
39 ~~judgment has been satisfied.~~

1 ~~(2) Receipt of proof that the judgment debtor is complying with~~
2 ~~a court-ordered payment schedule.~~

3 ~~(3) Proof that the judgment debtor had insurance covering the~~
4 ~~accident sufficient to satisfy the judgment.~~

5 ~~(4) A deposit with the department of the amount of the~~
6 ~~unsatisfied judgment, if the judgment debtor presents proof,~~
7 ~~satisfactory to the department, of inability to locate the judgment~~
8 ~~creditor.~~

9 ~~(5) At the end of 90 days.~~

10 ~~(f) If the suspension has been terminated under subdivision (e),~~
11 ~~the action is final and shall not be reinstituted. If the suspension~~
12 ~~is terminated, Section 14904 of the Vehicle Code shall apply.~~
13 ~~Money deposited with the department under this section shall be~~
14 ~~handled in the same manner as money deposited under subdivision~~
15 ~~(d) of Section 16377 of the Vehicle Code.~~

16 ~~(g) A public agency is not liable for an injury caused by the~~
17 ~~suspension, termination of suspension, or the failure to suspend a~~
18 ~~person's privilege to operate a motor vehicle as authorized by this~~
19 ~~section.~~

20 ~~SEC. 3. Section 1656.2 of the Vehicle Code is amended to~~
21 ~~read:~~

22 ~~1656.2. The department shall prepare and publish a printed~~
23 ~~summary describing the penalties for noncompliance with Sections~~
24 ~~16000 and 16028, which shall be included with each motor vehicle~~
25 ~~registration, registration renewal, and transfer of registration and~~
26 ~~with each driver's license and license renewal. The printed~~
27 ~~summary may contain, but is not limited to, the following wording:~~

28
29 ~~"IMPORTANT FACTS ABOUT ENFORCEMENT OF~~
30 ~~CALIFORNIA'S COMPULSORY FINANCIAL~~
31 ~~RESPONSIBILITY LAW~~
32

33 ~~California law requires every driver to carry written evidence~~
34 ~~of valid automobile liability insurance, a \$35,000 bond, a \$35,000~~
35 ~~cash deposit, or a certificate of self-insurance that has been issued~~
36 ~~by the Department of Motor Vehicles.~~

37
38 ~~You must provide evidence of financial responsibility when you~~
39 ~~renew the registration of a motor vehicle, and after you are cited~~
40 ~~by a peace officer for a traffic violation or are involved in any~~

1 traffic accident. The law requires that you provide the officer
2 with the name and address of your insurer and the policy
3 identification number. Your insurer will provide written evidence
4 of this number. Failure to provide evidence of your financial
5 responsibility can result in fines of up to \$500 and loss of your
6 driver's license. Falsification of evidence can result in fines of
7 up to \$750 or 30 days in jail, or both, in addition to a one-year
8 suspension of driving privileges.

9
10 —

11 Under existing California law, if you are involved in an accident
12 that results in damages of over \$1,000 to the property of any
13 person or in any injury or fatality, you must file a report of the
14 accident with the Department of Motor Vehicles within 10 days
15 of the accident. If you fail to file a report or fail to provide
16 evidence of financial responsibility on the report, your driving
17 privilege will be suspended for up to four years. Your suspension
18 notice will notify you of the department's action and of your
19 right to a hearing. Your suspension notice will also inform you
20 that if you request a hearing, it must be conducted within 30
21 days of your written request, and that a decision is to be rendered
22 within 15 days of the conclusion of the hearing.”

23
24 SEC. 4. ~~Section 12517.1 of the Vehicle Code is amended to~~
25 ~~read:~~

26 12517.1. (a) A “schoolbus accident” means any of the
27 following:

28 (1) A motor vehicle accident resulting in property damage in
29 excess of one thousand dollars (\$1,000), or personal injury, on
30 public or private property, and involving a schoolbus, youth bus,
31 school pupil activity bus, or general public paratransit vehicle
32 transporting a pupil.

33 (2) A collision between a vehicle and a pupil or a schoolbus
34 driver while the pupil or driver is crossing the highway when the
35 schoolbus flashing red signal lamps are required to be operated
36 pursuant to Section 22112 or when the schoolbus is stopped for
37 the purpose of loading or unloading pupils.

38 (3) Injury of a pupil inside a vehicle described in paragraph (1)
39 as a result of acceleration, deceleration, or other movement of the
40 vehicle.

~~(b) The Department of the California Highway Patrol shall investigate all schoolbus accidents, except that accidents involving only property damage and occurring entirely on private property shall be investigated only if they involve a violation of this code.~~

~~SEC. 5. Section 13369 of the Vehicle Code is amended to read:~~

~~13369. (a) This section applies to the following endorsements and certificates:~~

~~(1) Passenger transportation vehicle.~~

~~(2) Hazardous materials.~~

~~(3) Schoolbus.~~

~~(4) School pupil activity bus.~~

~~(5) Youth bus.~~

~~(6) General public paratransit vehicle.~~

~~(7) Farm labor vehicle.~~

~~(8) Vehicle used for the transportation of developmentally disabled persons.~~

~~(b) The department shall refuse to issue or renew, or shall revoke, the certificate or endorsement of a person who meets the following conditions:~~

~~(1) Within three years, has committed any violation that results in a conviction assigned a violation point count of two or more, as defined in Sections 12810 and 12810.5. The department shall not refuse to issue or renew, nor may it revoke, a person's hazardous materials or passenger transportation vehicle endorsement if the violation leading to the conviction occurred in the person's private vehicle and not in a commercial motor vehicle, as defined in Section 15210.~~

~~(2) Within three years, has had his or her driving privilege suspended, revoked, or on probation for any reason involving unsafe operation of a motor vehicle. The department shall not refuse to issue or renew, nor may it revoke, a person's passenger transportation vehicle endorsement if the person's driving privilege has, within three years, been placed on probation only for a reason involving unsafe operation of a motor vehicle.~~

~~(3) Notwithstanding paragraphs (1) and (2), does not meet the qualifications for issuance of a hazardous materials endorsement set forth in Parts 383, 384, and 1572 of Title 49 of the Code of Federal Regulations.~~

1 ~~(e) The department may refuse to issue or renew, or may suspend~~
2 ~~or revoke, the certificate or endorsement of a person who meets~~
3 ~~any of the following conditions:~~

4 ~~(1) Within 12 months, has been involved as a driver in three~~
5 ~~accidents in which the driver caused or contributed to the causes~~
6 ~~of the accidents.~~

7 ~~(2) Within 24 months, as a driver, caused or contributed to the~~
8 ~~cause of an accident resulting in a fatality or serious injury or~~
9 ~~serious property damage in excess of one thousand dollars (\$1,000).~~

10 ~~(3) Has violated any provision of this code, or any rule or~~
11 ~~regulation pertaining to the safe operation of a vehicle for which~~
12 ~~the certificate or endorsement was issued.~~

13 ~~(4) Has violated any restriction of the certificate, endorsement,~~
14 ~~or commercial driver's license.~~

15 ~~(5) Has knowingly made a false statement or failed to disclose~~
16 ~~a material fact on an application for a certificate or endorsement.~~

17 ~~(6) Has been determined by the department to be a negligent or~~
18 ~~incompetent operator.~~

19 ~~(7) Has demonstrated irrational behavior to the extent that a~~
20 ~~reasonable and prudent person would have reasonable cause to~~
21 ~~believe that the applicant's ability to perform the duties of a driver~~
22 ~~may be impaired.~~

23 ~~(8) Excessively or habitually uses, or is addicted to, alcoholic~~
24 ~~beverages, narcotics, or dangerous drugs.~~

25 ~~(9) Does not meet the minimum medical standards established~~
26 ~~or approved by the department.~~

27 ~~(d) The department may cancel the certificate or endorsement~~
28 ~~of any driver who meets any of the following conditions:~~

29 ~~(1) Does not have a valid driver's license of the appropriate~~
30 ~~class.~~

31 ~~(2) Has requested cancellation of the certificate or endorsement.~~

32 ~~(3) Has failed to meet any of the requirements for issuance or~~
33 ~~retention of the certificate or endorsement, including, but not~~
34 ~~limited to, payment of the proper fee, submission of an acceptable~~
35 ~~medical report and fingerprint cards, and compliance with~~
36 ~~prescribed training requirements.~~

37 ~~(4) Has had his or her driving privilege suspended or revoked~~
38 ~~for a cause involving other than the safe operation of a motor~~
39 ~~vehicle.~~

~~(e) (1) The department shall refuse to issue or renew, or shall suspend or revoke, the passenger vehicle endorsement of a person who violates subdivision (b) of Section 5387 of the Public Utilities Code.~~

~~(2) A person found to be in violation of subdivision (b) of Section 5387 of the Public Utilities Code shall be ineligible for a passenger vehicle endorsement that would permit him or her to drive a bus of any kind, including, but not limited to, a bus, schoolbus, youth bus, school pupil activity bus, trailer bus, or a transit bus, with passengers, for a period of five years.~~

~~(f) (1) Reapplication following refusal or revocation under subdivision (b) or (c) may be made after a period of not less than one year from the effective date of denial or revocation, except in cases where a longer period of suspension or revocation is required by law.~~

~~(2) Reapplication following cancellation under subdivision (d) may be made at any time without prejudice.~~

~~SEC. 6. Section 16000 of the Vehicle Code is amended to read:~~

~~16000. (a) The driver of a motor vehicle who is in any manner involved in an accident originating from the operation of the motor vehicle on a street or highway, or is involved in a reportable off-highway accident, as defined in Section 16000.1, that has resulted in damage to the property of any one person in excess of one thousand dollars (\$1,000), or in bodily injury, or in the death of any person shall report the accident, within 10 days after the accident, either personally or through an insurance agent, broker, or legal representative, on a form approved by the department, to the office of the department at Sacramento, subject to this chapter. The driver shall identify on the form, by name and current residence address, if available, any person involved in the accident complaining of bodily injury.~~

~~(b) A report is not required under subdivision (a) if the motor vehicle involved in the accident was owned or leased by, or under the direction of, the United States, this state, another state, or a local agency.~~

~~(c) If none of the parties involved in an accident has reported the accident to the department under this section within one year following the date of the accident, the department is not required to file a report on the accident and the driver's license suspension requirements of Section 16004 or 16070 do not apply.~~

1 ~~SEC. 7. Section 16000.1 of the Vehicle Code is amended to~~
2 ~~read:~~

3 ~~16000.1. (a) For purposes of this division, a “reportable~~
4 ~~off-highway accident” means an accident that includes all of the~~
5 ~~following:~~

6 ~~(1) Occurs off the street or highway.~~
7 ~~(2) Involves a vehicle that is subject to registration under this~~
8 ~~code.~~

9 ~~(3) Results in damages to the property of any one person in~~
10 ~~excess of one thousand dollars (\$1,000), or in bodily injury or in~~
11 ~~the death of any person.~~

12 ~~(b) A “reportable off-highway accident” does not include any~~
13 ~~accident that occurs off-highway in which damage occurs only to~~
14 ~~the property of the driver or owner of the motor vehicle and no~~
15 ~~bodily injury or death of a person occurs.~~

16 ~~SEC. 8. Section 16075 of the Vehicle Code is amended to read:~~

17 ~~16075. (a) The suspension provisions of this article shall not~~
18 ~~apply to a driver or owner until 30 days after the department sends~~
19 ~~to the driver or owner notice of its intent to suspend his or her~~
20 ~~driving privilege, pursuant to subdivision (b) of Section 16070;~~
21 ~~and advises the driver or owner of his or her right to a hearing as~~
22 ~~provided in this section.~~

23 ~~(b) If the driver or owner receiving the notice of intent to~~
24 ~~suspend wishes to have a hearing, the request for a hearing shall~~
25 ~~be made in writing to the department within 10 days of the receipt~~
26 ~~of the notice. Failure to respond to a notice of intent within 10~~
27 ~~days of receipt of the notice is a waiver of the person’s right to a~~
28 ~~hearing.~~

29 ~~(c) If the driver or owner makes a timely request for a hearing,~~
30 ~~the department shall hold the hearing before the effective date of~~
31 ~~the suspension to determine the applicability of this chapter to the~~
32 ~~driver or owner, including a determination of whether:~~

33 ~~(1) The accident has resulted in property damage in excess of~~
34 ~~one thousand dollars (\$1,000), or bodily injury, or death.~~

35 ~~(2) The driver or owner has established evidence of financial~~
36 ~~responsibility, as provided in Article 3 (commencing with Section~~
37 ~~16050), that was in effect at the time of the accident.~~

38 ~~(d) A request for a hearing does not stay the suspension of a~~
39 ~~person’s driving privilege. However, if the department does not~~
40 ~~conduct a hearing and make a determination pursuant thereto within~~

1 the time limit provided in subdivision (b) of Section 16070, the
2 department shall stay the effective date of the order of suspension
3 pending a determination.

4 (e) The hearing provided for by this section shall be held in the
5 county of residence of the person requesting the hearing. The
6 hearing shall be conducted pursuant to Article 3 (commencing
7 with Section 14100) of Chapter 3 of Division 6.

8 (f) The department shall render its decision within 15 days after
9 conclusion of the hearing.

10 SEC. 9. Section 16251 of the Vehicle Code is amended to read:

11 16251. As used in this chapter and Chapter 3 (commencing
12 with Section 16430), “cause of action” means any cause of action
13 for damage to property in excess of one thousand dollars (\$1,000);
14 or for damage in any amount on account of bodily injury to or
15 death of any person resulting from the operation by the defendant
16 or any other person of any motor vehicle upon a highway in this
17 state, except a cause of action based upon statutory liability by
18 reason of signing the application of a minor for a driver’s license.

19 SEC. 10. Section 16377 of the Vehicle Code is amended to
20 read:

21 16377. For the purposes of this chapter, every judgment shall
22 be deemed satisfied if any of the following apply:

23 (a) Fifteen thousand dollars (\$15,000) has been credited, upon
24 any judgment in excess of that amount, or upon all judgments,
25 collectively, which together total in excess of that amount, for
26 personal injury to or death of one person as a result of any one
27 accident.

28 (b) Subject to the limit of fifteen thousand dollars (\$15,000) as
29 to one person, the sum of thirty thousand dollars (\$30,000) has
30 been credited, upon any judgment in excess of that amount, or
31 upon all judgments, collectively, which together total in excess of
32 that amount, for personal injury to or death of more than one person
33 as a result of any one accident.

34 (c) Five thousand dollars (\$5,000) has been credited, upon any
35 judgment in excess of that amount, or upon all judgments,
36 collectively, each of which is in excess of one thousand dollars
37 (\$1,000), and which together total in excess of five thousand dollars
38 (\$5,000), for damage to property of others as a result of any one
39 accident.

1 ~~(d) The judgment debtor or a person designated by him or her~~
2 ~~has deposited with the department a sum equal to the amount of~~
3 ~~the unsatisfied judgment for which the suspension action was taken~~
4 ~~and presents proof, satisfactory to the department, of inability to~~
5 ~~locate the judgment creditor.~~

6 ~~SEC. 11. Section 16430 of the Vehicle Code is amended to~~
7 ~~read:~~

8 ~~16430. “Proof of financial responsibility,” when required by~~
9 ~~this code, means proof of financial responsibility resulting from~~
10 ~~the ownership or operation of a motor vehicle and arising by reason~~
11 ~~of personal injury to, or death of, any one person, of at least fifteen~~
12 ~~thousand dollars (\$15,000), and, subject to the limit of fifteen~~
13 ~~thousand dollars (\$15,000) for each person injured or killed, of at~~
14 ~~least thirty thousand dollars (\$30,000) for the injury to, or the death~~
15 ~~of, two or more persons in any one accident, and for damages to~~
16 ~~property (in excess of one thousand dollars (\$1,000)), of at least~~
17 ~~five thousand dollars (\$5,000) resulting from any one accident.~~
18 ~~Proof of financial responsibility may be given in any manner~~
19 ~~authorized in this chapter.~~

20 ~~SEC. 12. Section 16434 of the Vehicle Code is amended to~~
21 ~~read:~~

22 ~~16434. Proof of financial responsibility may be given by a~~
23 ~~bond. The bond shall be conditioned for the payment of the amount~~
24 ~~specified in Section 16430, and shall provide for the entry of~~
25 ~~judgment on motion of the state in favor of any holder of any final~~
26 ~~judgment on account of damages to property over one thousand~~
27 ~~dollars (\$1,000) in amount, or injury to any person caused by the~~
28 ~~operation of the person’s motor vehicle.~~